

EPA's TCM Substitution Guidance

Karina O'Connor

EPA – Region 9

Introduction



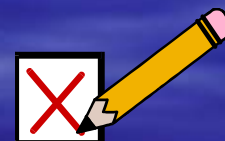
- TCMs
 - Project or program that reduces vehicle use or changes traffic flow or congestions for the purposes of reducing emissions from transportation sources and improving air quality
 - Examples: CAA section 108(f)
- For Conformity
 - TCM's in an approved SIP must show timely implementation

Purpose of Guidance

- Describes the basic elements of a TCM substitution mechanism
- Clarifies the parameters involved in development of TCMs
- Enables areas to take better advantage of flexibility and resources savings associated with a TCM substitution mechanism

Scope of Guidance

- Substitution limited to TCMs which do not require a rule or regulation for implementation
- Can only substitute TCMs or other TCMs
- No substitution with nonroad, stationary or other area sources



Steps Involved with TCM Substitution

- Interagency Consultation on Selection of Substitute TCMs
- Public Participation and Comment on TCMs
- State or local air agency concurrence
- EPA concurrence
- State or local agency adoption of new TCMs and rescind original TCMs
- EPA modifies CFR



Key Elements of a TCM Substitution Mechanism

- Project Specificity
 - Require substitute TCMs to meet CAA section 110 and EPA's TCM SIP Guidance
 - Require sufficient documentation to fully describe TCM, why substitution is needed
- Equivalent Emissions Reductions and Implementation Schedule
 - ensure that equivalent emission reductions will be met, indicate TCM's schedule

Key Elements of a TCM Substitution Mechanism

- Equivalent Emissions Reductions and Implementation Schedule (cont)
 - Guidance on criteria for substitute TCMs
- Adequate Resources
 - Mechanism should require documentation for each substitution that implementing agency has sufficient resources to implement the substitute TCM

Key Elements of a TCM Substitution Mechanism

- Legal Authority and Enforceability
 - Mechanism should require documentation for each substitution that implementing agency has legal authority to implement and enforce the substitute TCM



Key Elements of a TCM Substitution Mechanism

- Consultation Between Federal, State and Local Agencies
 - State and Local Air Agencies, FHWA/FTA, EPA, state DOT and all affected transportation agencies
 - Similar to area's interagency consultation group
 - Since timing may be critical – it's especially important to include agencies who must concur (air agencies, EPA)



Key Elements of a TCM Substitution Mechanism

■ Public Participation

- The mechanism must provide for a 30 day public comment period on each substitution and at least one public hearing
- Similar to area's typical SIP public participation
- Should comply with state public participation regulations
- During substitution process – copies of the public documentation should be sent to interagency consultation partners



Key Elements of a TCM Substitution Mechanism

- Modification to Affected SIP
 - The mechanism must acknowledge that EPA will need to update the CFR to reflect the changes in the approved SIP
 - Two mechanisms
 - EPA's notebook system or
 - Final Action in the Federal Register to incorporate the change into the CFR